

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Honorable Stanley R. Chesler
v. : Crim. No. 11-462 (SRC)
:
EGIJA KUKA : .

CONSENT ORDER FOR CONTINUANCE

This matter having come before the Court on the application of the United States of America (Deborah J. Gannett, Assistant U.S. Attorney, appearing) and defendant EGIJA KUKA, (Peter Carter, AFPD, appearing) for an order granting a continuance of the proceedings in the above captioned matter, and defendant EGIJA KUKA having been made aware of her right to have the matter tried within seventy days of the date of their appearance before a judicial officer of this court, pursuant to Title 18 of the United States Code, Section 3161(c); and the Government having consented to the continuance in the above captioned matter; and it appearing that defendant EGIJA KUKA waives such right; and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. This is a complex matter wherein the defendant and her co-defendant Eihab Suliman, were the owners of Optima University, a test preparation center in Totowa, New Jersey, that provided

courses designed to prepare foreign students for the United States medical Licensing Examination ("USMLE"), which is created and administered by the National Board of Medical Examiners ("NBME"). Defendant EGIJA KUKA is accused of stealing proprietary "live" test questions given on USMLE examinations administered abroad, and then utilizing those test questions at Optima University, where potential students were solicited, in part, by statements that any tuition paid to Optima University would be "risk free" because the student was guaranteed to pass the USMLE after taking the Optima University test preparation course.

2. There are voluminous documents that were seized pursuant to search of the Optima University test preparation facility, which include computerized records, notes, sample test questions, correspondence and other documentation relating to the test preparation courses offered by Optima University, as well as proprietary test questions that were found on computers that had been used in practice examinations provided to Optima University students.

4. Plea negotiations are also in progress and additional time is necessary to finalize a plea agreement, which may render trial of this matter unnecessary.

5. The Government, Assistant United States Attorney Deborah J. Gannett and defendant EGIJA KUKA have consented to the

aforementioned continuance.

6. The grant of a continuance will likely conserve judicial resources.

7 Pursuant to Title 18 of the United States Code, Section 3161 (h) (7) (A), the Court finds that the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial for the reasons stated above.

WHEREFORE, it is on this 16 day of November 2012

ORDERED that the proceedings in the above captioned matter are continued for the period from January 15, 2013 through April 15, 2013;

IT IS FURTHER ORDERED that the period between January 15, 2013 through April 15, 2013 shall be excludable in computing time under the Speedy Trial Act of 1974;

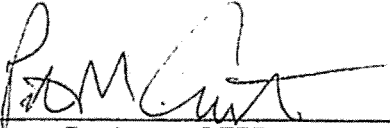
IT IS FURTHER ORDERED that all defense motions shall be filed no later than March 15, 2013;


IT IS FURTHER ORDERED that any response by the Government to defense motions shall be filed no later than March 28, 2013;


IT IS FURTHER ORDERED that oral argument on any such motions shall be conducted on April 7, 2013 at 10:00 a.m.;

IT IS FURTHER ORDERED that the trial in this matter is
scheduled for April 15, 2013.

BY CONSENT:


Peter Carter, AFPD
Counsel for Egija Kuka


Deborah J. Gannett, AUSA


HONORABLE STANLEY R. CHESLER
UNITED STATES DISTRICT JUDGE